

**GREENBERG TRAURIG, LLP**

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CIT Bank, N.A.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

MONICA GRAY, AS EXECUTRIX OF  
THE ESTATE OF EARL GRAY, JR.  
AND AS TRUSTEE OF THE  
INTEREST OF JASMINE GRAY-  
OLIVER, AND JUSTIN GRAY, on  
behalf of themselves and all others  
similarly situated,

Plaintiff,

v.

CIT BANK, N.A., FINANCIAL  
FREEDOM SENIOR FUNDING  
CORPORATION, QBE INSURANCE  
CORPORATION, QBE FIRST  
INSURANCE AGENCY, INC., AND  
MIC GENERAL INSURANCE  
CORPORATION,

Defendants.

Civil Action No. 1:18-cv-01520-RMB-AMD

Document Filed Electronically

**NOTICE OF MOTION  
TO DISMISS**

**ORAL ARGUMENT REQUESTED**

**TO:** Roosevelt N. Nesmith  
LAW OFFICE OF ROOSEVELT N. NESMITH, LLC  
363 Bloomfield Avenue, Ste. 2C  
Montclair, New Jersey 07042

**PLEASE TAKE NOTICE** that on August 6, 2018, or at some other date as set by the Court, Defendant CIT Bank, N.A. ("CIT") shall move before the Honorable Renee Marie Bumb, United States District Court, Mitchell H. Cohen U.S. U.S. Courthouse, 1 John F. Gerry Plaza,

Camden, New Jersey 08101 for an order pursuant to Federal Rule of Civil Procedure 12(b)(b) granting HSBC's motion to dismiss Plaintiffs' Complaint in its entirety with prejudice.

**PLEASE TAKE FURTHER NOTICE** that, in support of the motion, CIT will rely on the accompanying Memorandum of Law, Declaration of Gail Balettie with the attached exhibits, proposed form of Order, and all of the pleadings and papers on file in this matter.

GREENBERG TRAURIG, LLP

*s/ Louis Smith*

By: LOUIS SMITH

Attorneys for Defendant  
CIT BANK, N.A.

Dated: May 25, 2018